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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/787,376	02/26/2004	Daniel John Devine	2	4422

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RYAN, MASON & LEWIS, LLP
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FAIRFIELD, CT 06824

EXAMINER

VIDWAN, JASJIT S

ART UNIT	PAPER NUMBER
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2182

MAIL DATE	DELIVERY MODE
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05/17/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/787,376	Applicant(s) DEVINE, DANIEL JOHN	
	Examiner Jasjit S. Vidwan	Art Unit 2182	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 April 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2,4,5,10,11,15,17 and 18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2,4,5,10,11,15,17 and 18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Claims 2, 4, 5, 10-11, 15, 17-18 are pending

Claims 1, 3, 6-9, 12-14, 16, 19-20 have been cancelled as per amendment filed on 04/04/2007

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 04/04/2007 has been entered.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) The invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claim 2, 4, 5, 10-11, 15, 17-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Salmonsens et al, U.S. Pub No: 2004/0054689 [herein after **Salmonsens**].

4. **As per Claim 5 and 11**, Salmonsens teaches a controller [Fig. 2, element 200 – Pg. 3, Paragraph 0033] for high speed communications [Page 2, Paragraph 0029, “High speed serial bus”] between a host computer [Fig. 3, element 342, “Computer”] and at least one peripheral device [Fig. 2, element 202, “Device”], comprising a processor [see Fig. 3, element 304] for controlling communications on a bus using one or more communications functions, wherein said processor performs at least one function for said peripheral device in addition to said one or more communication functions [see Paragraph 0064, “In various embodiments, applications and examples, the device 300 performs various functions of information storage, processing, monitoring, and display. The

functions are executed by control and management elements such as the sink process, the processor, the host computer, other computational and control device in the remote network site or in other computational management and control elements inside and outside the device.”], wherein said processor provides processing capacity for use by said peripheral device [see Page 3, Paragraph 0049, “The content sink 304 is typically a device that processes the content for presentation, for example, a rendering device...”], and wherein said high speed communications conform to a USB standard [see Paragraph 0059].

5. **As per Claim 18**, Salmonsén teaches an integrated circuit [see Paragraph 0153] comprising a controller for high-speed communications between a host computer and at least one peripheral device [see Paragraph 0059, “the content bus interface may enable connection to one or more of Universal Serial Bus (USB)...or any other device that produces electronic signals”]. *Remainder of the limitations are identical to those addressed above in rejection of Claims 5 & 11.*

6. **As per Claim 2 & 15**, Salmonsén teaches a controller wherein said processor is integrated with said controller [see Paragraph 0049 & 0056].

7. **As per Claim 4, 10 & 17**, Salmonsén as modified by Humphrey above teaches a controller wherein said at least one peripheral device employs said processor to perform each of said functions of said at least one peripheral device [see Paragraph 0033 & 0069].

Response to Arguments

8. Applicant's arguments with respect to claim 2, 4, 5, 10-11, 15 and 17-18 have been considered but are moot in view of the new ground(s) of rejection. In light of the amendment, Examiner is using a different embodiment for the above provided rejection. However, to address Applicant's arguments regarding the controller providing processing capacity to the peripheral device, Examiner would like to point to Humphrey as intrinsic evidence that teaches using a higher processor capacity of a host or controller to provide processing capabilities to the peripheral devices in the system for specifically a USB technology [see Humphrey, Col. 1, Lines 60-63].

References used not cited

9. Humphrey et al, U.S. Patent No: 6,804,243 – teaches using a high processor capacity of a host or controller to provide processing capabilities to the peripheral device as a well-known method in the art.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jasjit S. Vidwan whose telephone number is (571) 272-7936. The examiner can normally be reached on 8am - 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, KIM HUYNH can be reached on (571) 272-4147. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JSV
5/1/07


KIM HUYNH
SUPERVISORY PATENT EXAMINER

5/14/07